

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHNNY HEARD,

Plaintiff,

v.

YOLO COUNTY SHERIFF'S
DEPARTMENT,

Defendant.

Case No. 1:22-cv-01184-CDB (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiff Johnny Heard is a state prisoner proceeding *pro se* in this civil rights action filed under 42 U.S.C. § 1983.

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in

(1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b). Under Local Rule 120(f), the Court may *sua sponte* transfer a civil action that has not been commenced in the proper court to another venue within this district. Because the alleged violations in this case occurred at a detention facility in Yolo County and Defendant

Yolo County Sheriff's Department "resides" in Yolo County, venue lies in the Sacramento Division. Therefore, the action will be transferred to the Sacramento Division.

Accordingly, it is HEREBY ORDERED:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

3. This Court has not ruled on Plaintiff's request to proceed *in forma pauperis*.

IT IS SO ORDERED.

Dated: October 19, 2022


UNITED STATES MAGISTRATE JUDGE